

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

TEDDY HILL,

Petitioner,

v.

**9:04-CV-524
(FJS/RFT)**

JAMES CONWAY, Superintendent,

Respondent.

APPEARANCES

OF COUNSEL

TEDDY HILL

99-B-1948

Clinton Correctional Facility

P.O. Box 2002

Dannemora, New York 12929

Petitioner *pro se*

**OFFICE OF THE NEW YORK
STATE ATTORNEY GENERAL**

615 Erie Boulevard West

Suite 102

Syracuse, New York 13204-2455

Attorneys for Respondent

SENTA B. SIUDA, AAG

SCULLIN, Senior Judge

ORDER

In a Report-Recommendation and Order dated June 2, 2008, Magistrate Judge Treece recommended that the Court deny and dismiss Petitioner's petition and that the Court decline to issue a certificate of appealability. Petitioner filed objections to the Report-Recommendation and Order, essentially raising the same arguments that he presented to Magistrate Judge Treece.

When a party files specific objections to a magistrate judge's report-recommendation, the district court makes a "*de novo*" determination of those portions of the report or specified

proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1).

After such a review, "the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*

Having reviewed the record *de novo* in light of the issues that Petitioner raised in his objections, this Court finds the objections to be without merit.

Accordingly, the Court hereby

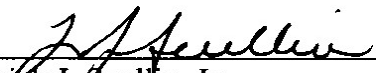
ORDERS that Magistrate Judge Treece's June 2, 2008 Report-Recommendation and Order is **ACCEPTED** in its entirety for the reasons stated therein; and the Court further

ORDERS that Petitioner's petition for a writ of habeas corpus is **DENIED** and **DISMISSED**; and the Court further

ORDERS that no certificate of appealability will be issued with respect to any of Petitioner's claims.

IT IS SO ORDERED.

Dated: September 13, 2010
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge